



Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Forty-sixth Day

Monday Afternoon

April 20, 2015

The invocation was offered by Pastor Rick Main of Salem Church of the Nazarene in Salem, a guest of Representative Steven J. Davisson.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Donna Harris.

The Speaker ordered the roll of the House to be called:

Arnold	Klinker
Austin	Koch
Aylesworth	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Bauer	Lucas
Behning	Macer
Beumer	Mahan
Borders	Mayfield
Braun	McMillin
C. Brown	McNamara
T. Brown	D. Miller
Burton	Moed
Carbaugh	Morris □
Cherry	Morrison
Clere	Moseley
Cook	Negele □
Cox	Niezgodski
Culver	Nisly
Davisson	Ober
DeLaney	Olthoff
Dermody	Pelath
DeVon	Pierce
Dvorak	Porter
Eberhart	Price
Errington	Pryor
Fine	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager
Gutwein	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday
D. Harris †	Speedy
Heaton	Stemler
Huston	Steuerwald
Judy	Sullivan
Karickhoff	Summers
Kersey	Thompson
Kirchhofer	Torr

Truitt
Ubelhor
VanNatter
Washburne
Wesco

Wolkins
Wright
Zent
Ziemke
Mr. Speaker

Roll Call 504: 98 present; 2 excused. The Speaker announced a quorum in attendance. [NOTE: □ indicates those who were excused.]

[Journal Clerk's note: † indicates Donna Harris was selected to fill the vacancy created by the death of her husband, Earl Harris. The supporting documents are being printed in the addendum to this journal.]

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 82

Representatives Pelath, Lawson, Bartlett, Bosma, Arnold, Austin, Aylesworth, Bacon, Baird, Bauer, Behning, Beumer, Borders, Braun, C. Brown, T. Brown, Burton, Carbaugh, Cherry, Clere, Cook, Cox, Culver, Davisson, DeLaney, Dermody, DeVon, Dvorak, Eberhart, Errington, Fine, Forestal, Friend, Frizzell, Frye, GiaQuinta, Goodin, Gutwein, Hale, Hamm, Harman, Heaton, Huston, Judy, Karickhoff, Kersey, Kirchhofer, Klinker, Koch, Lehe, Lehman, Leonard, Lucas, Macer, Mahan, Mayfield, McMillin, McNamara, Miller, Moed, Morris, Morrison, Moseley, Negele, Niezgodski, Nisly, Ober, Olthoff, Pierce, Porter, Price, Pryor, Rhoads, Richardson, Riecken, Saunders, Schaibley, Shackleford, Slager, Smaltz, M. Smith, V. Smith, Soliday, Speedy, Stemler, Steuerwald, Sullivan, Summers, Thompson, Torr, Truitt, Ubelhor, VanNatter, Washburne, Wesco, Wolkins, Wright, Zent and Ziemke introduced House Concurrent Resolution 82:

A CONCURRENT RESOLUTION memorializing and honoring Representative Earl L. Harris.

Whereas, Earl Harris was born on November 5, 1941, in Kerrville, Tennessee;

Whereas, Earl graduated from Woodstock (Millington, Tennessee) High School in 1959;

Whereas, Earl attended Purdue University-Calumet, Indiana University Northwest, and the Illinois Institute of Technology;

Whereas, Earl was a six-year member of the U.S. Naval Reserves, honorably discharged in 1969;

Whereas, Earl was first elected to the Indiana House of Representatives in 1982, and his illustrious legislative career began with being called into a special session by then Governor Robert Orr in December 1982;

Whereas, During his historic 33-year career in the House of Representatives, Earl served as Vice Chair of the Ways and Means Committee, Deputy Speaker Pro Tempore, Speaker Pro Tempore, and chair of numerous House standing committees;

Whereas, Among his many lasting and enduring legislative achievements were championing Lake Michigan shoreline redevelopment in Lake County, development of Indiana's casino industry, work to save the steel mill and oil refinery industry in Northwest Indiana, and fiscal stewardship of Indiana;

Whereas, Earl took great pride in his continued guidance of the Indiana Black Legislative Caucus;

Whereas, Earl retired as fixed asset manager for the East Chicago School Corporation;

Whereas, Earl served with great distinction as a board member of the East Chicago Urban Enterprise Association, Northwest Indiana Urban League, East Chicago Air Pollution Control Board, East Chicago Black Coalition, National Association for the Advancement of Colored People, and the East Chicago Homeowners Association;

Whereas, Earl loved and cherished his family: Donna, his wife of 45 years, and his son, Earl L. Harris, Jr.;

Whereas, Earl passed away on March 23, 2015, after a courageous battle with multiple myeloma; and

Whereas, Earl Harris will be missed by all of his colleagues in the Indiana General Assembly, and his dedication and service to his district and all Hoosiers will continue to be fondly remembered by all: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the members of the Indiana General Assembly memorialize and honor the life of Representative Earl L. Harris.

SECTION 2. The Principal Clerk of the House of Representatives is hereby directed to transmit a copy of this resolution to his wife, Donna J. Harris, and to his son, Earl L. Harris, Jr.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Randolph, Rogers, Breaux and Taylor.

The House stood for a moment of silence in the memory of the late Representative Earl Harris.

Representative Negele, who had been excused, is now present.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1350.

WOLKINS

Roll Call 505: yeas 98, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1505.

VANNATTER

Roll Call 506: yeas 98, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1508.

VANNATTER

Roll Call 507: yeas 85, nays 12. Motion prevailed.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1438 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, April 21, 2015, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

HB 1009	Conferees:	Behning and Smith V
	Advisors:	Thompson, Austin, Errington, Moed
HB 1047	Conferees:	Wolkins and Forestal
	Advisors:	Soliday, Harman, Stemler, Brown C
HB 1269	Conferees:	Clere and Brown C
	Advisors:	Steuerwald, Slager, Pierce, Shackelford
HB 1278	Conferees:	Lehman and Hale
	Advisors:	Soliday, Speedy, Austin, Forestal
HB 1303	Conferees:	McMillin and Niezgodski
	Advisors:	Torr, Mahan, Moseley, Bartlett
HB 1305	Conferees:	McMillin and Pierce
	Advisors:	Steuerwald, Beumer, Forestal
HB 1333	Conferees:	Truitt and Macer
	Advisors:	Frye R, Hale, Klinker
HB 1349	Conferees:	Huston and Porter
	Advisors:	Brown T, Braun, Pryor, Riecken
HB 1449	Conferees:	Davisson and Brown C
	Advisors:	Brown T, Lehe, Bauer
HB 1483	Conferees:	Thompson and Smith V
	Advisors:	Behning, Cook, McNamara, Austin, Errington, Moed
HB 1485	Conferees:	Thompson and Pryor
	Advisors:	Huston, Leonard, Truitt, Wright
HB 1638	Conferees:	Behning and Smith V
	Advisors:	Cook, McNamara, Thompson, Rhoads, Austin, Errington and Moed

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

SB 1 Conferees: McMillin and Smith V
 Advisors: Behning, Cook, McNamara, Austin, Errington, Moed

SB 33 Conferees: Lehman and Moseley
 Advisors: Ober, Leonard, Bartlett, Niezgodski

SB 65 Conferees: Koch and GiaQuinta
 Advisors: Cox, Fine, Bauer

SB 166 Conferees: Frizzell and Brown C
 Advisors: Kirchhofer, Bacon, Shackelford

SB 307 Conferees: Steuerwald and Forestal
 Advisors: Cox and DeLaney

SB 330 Conferees: Negele and Pryor
 Advisors: Mahan, Truitt, Sullivan, Aylesworth, Thompson, Riecken, Errington

SB 463 Conferees: Brown T and Brown C
 Advisors: Clere, Dermody, Austin, GiaQuinta

SB 464 Conferees: Clere and Brown C
 Advisors: Davisson, McMillin, Bauer, Shackelford

SB 465 Conferees: Clere and Brown C
 Advisors: McMillin, Kirchhofer, Shackelford, Goodin

SB 523 Conferees: Frizzell and Pryor
 Advisors: Washburne, McMillin, DeLaney, Porter

CHANGES IN COMMITTEE APPOINTMENTS

The Speaker announced the following changes in appointments to committees:

Government and Regulatory Reform: Representative D. Harris replacing the late Representative E. Harris

Judiciary: Representative D. Harris replacing Representative Dvorak;

Natural Resources: Representative D. Harris replacing Representative Moseley;

Rules and Legislative Procedures: Representative Dvorak replacing the late Representative E. Harris;

Statutory Committee on Legislative Ethics: Representative Stemler replacing the late Representative E. Harris; and

Statutory Committee on Interstate and International Cooperation: Representative D. Harris replacing the late Representative E. Harris.

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House of Representatives: On April 17, 2015, I signed into law House Enrolled Acts 1021, 1142, 1188, 1545 and 1613.

MICHAEL R. PENCE
 Governor

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1001:

Conferees: Kenley and Tallian
 Advisors: Mishler, Broden, Rogers, Charbonneau, Eckerty and Hershman

JENNIFER L. MERTZ
 Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1006:

Conferees: Steele and Tallian
 Advisors: M. Young, Taylor, Bray and Houchin

JENNIFER L. MERTZ
 Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1044:

Conferees: Boots and Broden
 Advisors: Waltz, Randolph and Ford

JENNIFER L. MERTZ
 Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1102:

Conferees: Steele and Taylor
 Advisors: Bray and Lanane

JENNIFER L. MERTZ
 Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1104:

Conferees: Head and Randolph
 Advisors: Charbonneau, Breaux and Raatz

JENNIFER L. MERTZ
 Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1323:

Conferees: Pat Miller and Stoops
 Advisors: Kenley, Tallian and L.Brown

JENNIFER L. MERTZ
 Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1435:

Conferees: Head and Arnold
 Advisors: Leising, Taylor and Altting

JENNIFER L. MERTZ
 Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1540:

Conferees: Kenley and Lanane

Advisors: Alting, Rogers, Perfect, Leising and Messmer

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 33:

Conferees: Boots, Chairman; and Tallian

Advisors: Walker, Arnold, Niemeyer and Glick

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 168:

Conferees: Pat Miller, Chairman; and Arnold

Advisors: L. Brown and Stoops

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 252:

Conferees: Kenley, Chairman; and Lanane

Advisors: Leising, Arnold and Alting

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 307:

Conferees: Bray, Chairman; and Randolph

Advisors: Glick, Broden and Buck

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 330:

Conferees: Boots, Chairman; and Broden

Advisors: Head, Taylor, Buck and Alting

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 373:

Conferees: Head, Chairman; and Taylor

Advisors: M. Young, Tallian and Holdman

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 436:

Conferees: Hershman, Chairman; and Broden

Advisors: Pete Miller, Breaux and Eckerty

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 438:

Conferees: Hershman, Chairman; and Broden

Advisors: Holdman, Mrvan, Head and L. Brown

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 463:

Conferees: Pat Miller, Chairman; and Randolph

Advisors: Merritt, Broden and Boots

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 464:

Conferees: Pat Miller, Chairman; and Stoops

Advisors: Crider, Mrvan and Houchin

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 476:

Conferees: Head, Chairman; and Rogers

Advisors: Kenley, Taylor, Hershman and Perfect

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 523:

Conferees: M. Young, Chairman; and Breaux

Advisors: Merritt, Taylor, Pat Miller and Waltz

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 566:

Conferees: Mishler, Chairman; and Rogers

Advisors: Kenley, Stoops, Kruse and Yoder

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Joint Resolution 19:

Conferees: Hershman, Chairman; and Broden

Advisors: Kenley, Randolph and Buck

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 158, conference committee meetings were announced.

On the motion of Representative Pierce, the House adjourned at 2:32 p.m., this twentieth day of April, 2015, until Tuesday, April 21, 2015, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives

ADDENDUM TO JOURNAL OF THE HOUSE OF REPRESENTATIVES

FILLING VACANT LEGISLATIVE OFFICE

District 2 -Lake County

Representative Earl L. Harris passed away on March 23, 2015 leaving a vacancy in District 2.

CERTIFICATION OF APPOINTMENT TO A VACANT STATE LEGISLATIVE OFFICE

April 19, 2015

Speaker Brian Bosma
Indiana House of Representatives
200 W. Washington Street
Indianapolis, IN 46204

Dear Speaker Bosma,

Pursuant to state law, I am informing you of the election of a new State Representative in Indiana House District 2 to fill the unexpired term of the late Earl Harris, Sr. The vacancy for the office was certified to me on April 1, 2015.

A duly called caucus of precinct officials in the district was held on Saturday, April 18, 2015 at 10:00 a.m. CDT in Highland, Indiana where Donna J. Harris of East Chicago was elected to the seat.

Mrs. Harris has been notified that she will need to be present at the Statehouse on Monday, April 20, 2015, to begin her service for the citizens of District 2. Should you have any questions, please contact me at jzody@indems.org or 317-231-7113.

Sincerely,
John C. Zody
Chair

cc: Leader Scott Pelath

ACKNOWLEDGMENT OF RECEIPT BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

April 20, 2015

The Honorable Connie Lawson
Indiana Secretary of State
201 State House
Indianapolis, IN 46204

Dear Secretary Lawson,

This is to officially notify you that this office has received from the Indiana Democratic State Chairman a copy of the certification of the election of Donna J. Harris to represent State House District 2, filling the vacancy created by the death of Earl Harris, Representative Donna J. Harris was duly elected on April 18, 2015, in a caucus of precinct committee persons in District 2.

Very truly yours,
Brian C. Bosma, Speaker
Indiana House of Representatives
119th General Assembly

CERTIFICATE OF SELECTION TO STATE LEGISLATIVE OFFICE

**TO THE HONORABLE BRIAN C. BOSMA
SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES**

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 22, on March 25, 2015, due to the death of the Honorable Earl L. Harris, who was elected to that office as a candidate of the Indiana Democratic Party;

WHEREAS, On April 18, 2015, a caucus composed of Democratic Party precinct committeemen from Indiana House District 2 selected Donna J. Harris to fill the vacancy in Indiana House District 2;

WHEREAS, John C. Zody, Chairman of the Indiana Democratic Party, certified the selection of Donna J. Harris to fill the vacancy in office of Indiana State Representative, District 2, to the Speaker of the House of Representatives and the Speaker of the House of Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

NOW, THEREFORE, AS THE DULY ELECTED AND ACTING INDIANA SECRETARY OF STATE, I certify that Donna J. Harris has been selected to fill the vacancy existing in the office of Indiana State Representative, District 2.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 21st day of April, 2015, being the 239th year of the Independence of the United States, and the 199th year of the Statehood of Indiana.

CONNIE LAWSON
Indiana Secretary of State

Representative-elect Donna J. Harris was sworn into office on April 20, 2015, by Robert D. Rucker, Justice of the Supreme Court of Indiana. The oath of office is: "I, Donna J. Harris, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

Sworn before me, Robert D. Rucker, Justice, Indiana Supreme Court, this 20th day of April, 2015.